

# MEMO ENDORSED

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

AMARANTH ADVISORS L.L.C., et al.,

Defendants.

07 Civ. 6682 (DC)

ECF CASE

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 9/20/2007

STIPULATION AND ORDER  
REGARDING TIME FOR  
SERVICE OF  
ANSWER TO COMPLAINT

WHEREAS two of the three defendants in this action reside outside the United States, and therefore would be entitled to 90 days to serve answers to the complaint after timely returning waivers of service pursuant to Federal Rule of Civil Procedure 4(d)(3);

WHEREAS for the convenience of the parties and to avoid unnecessary costs, the parties to this action, by their attorneys, agreed that all Defendants would return waivers of service of process and have 90 days from July 30, 2007 to serve answers to the complaint;

WHEREAS the Electronic Case Filing system ("ECF") is programmed only to permit a party filing a returned waiver of service to set the due date for service of answers at most 60 days from the date on which the request for waiver was sent;

WHEREAS Plaintiff timely sent requests for waiver of service, Defendants timely returned the waivers, and Plaintiff filed those waivers by ECF as required by the court's rules;

WHEREAS the parties to this action wish formally to record their agreement to the time for service of answers to the complaint and to request the Court order the clerk to correct the ECF-programmed docket correctly to reflect the date for service of answers to the complaint;

WHEREAS the parties agree that they may stipulate by facsimile and in separate parts;

IT IS HEREBY STIPULATED AND ORDERED that having received timely notice of the action and timely returned waivers of service, Defendants shall serve the answer to the complaint by no later than October 29, 2007; and

IT IS FURTHER ORDERED that the Clerk of Court is hereby directed to correct the docket to reflect that Defendants' answers to the complaint are due no later than October 29, 2007; and

IT IS FURTHER ORDERED that the foregoing return date remains subject to the time limits set forth in Federal Rule of Civil Procedure 12(a)(4).

STIPULATED AND AGREED to September 11, 2007:

COMMODITY FUTURES TRADING  
COMMISSION  
Division of Enforcement  
140 Broadway, 19<sup>th</sup> Floor  
New York, New York 10005

By: Manal Sultan  
Manal Sultan  
Chief Trial Attorney

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By: David E. Mollen  
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Amaranth Advisors (Calgary) ULC*

KOBRE & KIM LLP  
800 Third Avenue  
New York, New York 10022

By: Michael S. Kim  
Michael S. Kim

*Attorneys for Defendant Brian Hunter*

SO ORDERED this \_\_\_ of September, 2007.

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Hon. Denny Chin, U.S.D.J.

IT IS HEREBY STIPULATED AND ORDERED that having received timely notice of the action and timely returned waivers of service, Defendants shall serve the answer to the complaint by no later than October 29, 2007; and

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By: \_\_\_\_\_  
Manal Sultan  
Chief Trial Attorney

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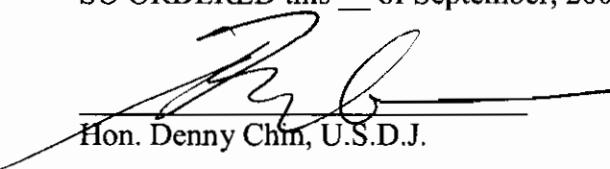
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New York, New York 10022

By: \_\_\_\_\_  
Michael S. Kim

*Attorneys for Defendant Brian Hunter*

SO ORDERED this 20<sup>th</sup> of September, 2007.

  
Hon. Denny Chin, U.S.D.J.